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**Via ECF**

March 20, 2024

The Honorable Paul G. Gardephe  
United States District Court for the Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

**Re: *Sportvision, Inc. et al. v. MLB Advanced Media, L.P.*,  
Case No. 1:18-cv-03025-PGG-VF**

Dear Judge Gardephe:

We write to inform the Court that more than 90 days have passed since the parties completed briefing for MLBAM's objection [D476] to Magistrate Judge Figueredo's Report and Recommendation regarding indefiniteness issues [D475]. MLBAM filed its objections on December 5, 2023. Plaintiffs filed their opposition on December 12, 2023 and briefing is complete. The Court has not yet set a hearing date nor decided this issue.

Plaintiff filed the underlying Motion to Strike Portions of the Opening Expert Report of Dr. Ravin Balakrishnan [D439] on April 19, 2023. Completion of discovery and expert reports remain on hold pending resolution of MLBAM's objections to the Magistrate Judge's decision.

Your Honor's Individual Rules of Practice require a moving party to advise the Court if a motion is not decided within 90 days of the time it is fully submitted. *See* Rule IV.H (last updated November 15, 2023) ("If a motion is not decided within 90 days of the time it is fully submitted or of argument, counsel for the movant shall submit a letter to call this fact to the Court's attention."). After discussion, MLBAM opted not to inform the Court of the 90-day passage of time because it believes that its "objections" to the Magistrate Judge's Order regarding Plaintiffs' underlying motion is not a "motion" as contemplated by Rule IV.H. Plaintiffs disagree and believe the Court wishes to be kept apprised of the status of motion practice requiring the Court's attention. Plaintiffs thus provide the Court with this notice pursuant to Rule IV.H.

Respectfully,

/s/ Matthew H. Adler

Matthew H. Adler

cc: Counsel of Record (via ECF)